

REMARKS

This Amendment and Response to Election of Species Requirement is filed in response to the Official Action dated October 17, 2006 in connection with the above-referenced application. Reconsideration of the application in view of this Amendment is hereby requested.

I. SPECIES IDENTIFICATION AND ELECTION

The Examiner asserts that the application contains no less than 21 patentably distinct species and identifies these species as essentially corresponding to each drawing figure. The only grounds for listing so many species is the assertion that “they each show a different embodiment of the apparatus for treating vascular aneurysms” and no statement as to why differences in each embodiment somehow lead to an acceptable species election requirement.

Notwithstanding this fact, it is noted that original claims 1-22 have been canceled and that newly added claims 23-43 are variously directed to the embodiments of Figures 6-9; Figures 10-12 and Figures 22-23. It is further noted that claims 23 and 40 are generic to all three of these sets of embodiments. It is submitted that examination of these claims, as now restricted to these embodiments, presents no undue burden on the examiner and thus that the election of species requirement is no longer merited and should be withdrawn.

Nonetheless, in conformance with 37 C.F.R. Section 1. 143, Applicants hereby elect, with traverse, Species 10, for examination. Furthermore, it is submitted that at least the following claims read on Species 10: Claims 23-28 and 40-41.

This election is made without prejudice or disclaimer to seek prosecution of the claims for non-elected species in future divisional applications.


CONCLUSION

In view of the foregoing, it is submitted that pending claims 23-43 are now in condition for examination.

If for any reason direct communication with Applicants' attorney would serve to advance prosecution of this case to finality, the Examiner is cordially urged to call the undersigned attorney at the below listed telephone number.

The Commissioner is authorized to charge any additional fee which may be required in connection with this Amendment to deposit account No. 50-2809.

Respectfully submitted,



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